

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

| | | |
|------------------------------|---|---------------------------|
| TARYN CHRISTIAN, |) | CIV. NO. 04-00743 DAE-LEK |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | AFFIDAVIT OF PETER A. |
| |) | HANANO REGARDING |
| |) | APPENDICES "A" THROUGH |
| |) | "G" |
| RICHARD BISSEN, Acting |) | |
| Director, STATE OF HAWAII, |) | |
| DEPARTMENT OF PUBLIC SAFETY, |) | |
| |) | |
| Respondents. |) | |
| _____ |) | |

AFFIDAVIT OF PETER A. HANANO
REGARDING APPENDICES "A" THROUGH "G"

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

PETER A. HANANO, first being duly sworn, on oath deposes and
says:

1. That Affiant was admitted in 1997 to practice before the United
States District Court for the District of Hawaii;

2. That Affiant is a Deputy Prosecuting Attorney for the County of
Maui, State of Hawaii, and is assigned to answer or otherwise respond on behalf of
JAMES PROPOTNICK, in his present capacity as Acting Director, State of
Hawai'i, Department of Public Safety ("Respondent"), to the Petition Under 28
U.S.C. § 2254 for a Writ of Habeas Corpus by a Person in State Custody

("Petition") filed on December 22, 2004, by Petitioner TARYN CHRISTIAN ("Petitioner");

3. That on information and belief, based on Affiant's review of the relevant case files, associated documents, and court transcripts of Cr. No. 95-0389(1) and S.P.P. No. 00-1-0002, as well as the documents and files in the above-entitled matter, the factual statements as related in the attached Respondents' Appeal, particularly in the "RELEVANT FACTUAL BACKGROUND" section, are true and correct to the best of Affiant's knowledge and belief;

4. That Appendices "A" through "G" of the Respondents' Appeal are filed herewith as follows:

a. Appendix "A", being a true and correct copy of the Magistrate's Order Granting Discovery, filed on June 14, 2006, in the above-entitled matter;

b. Appendix "B", being a true and correct copy of the Magistrate's Order Denying Respondents' Motion To Reconsider Court's June 14, 2006 Order Granting Discovery, filed on September 11, 2006, in the above-entitled matter;

c. Appendix "C", being a true and correct copy of the Petitioner's Opening Brief filed on November 24, 1997, in Criminal Case No. 95-0389(1), which is being attached hereto for the Court's convenience (also attached as Vol. 5, Exh. "V" in the Respondents' Answer filed on September 30, 2006);

d. Appendix "D", being a true and correct copy of the Hawai'i Supreme Court's published opinion, in Criminal Case No. 95-0389(1), which is being attached hereto for the Court's convenience (also attached as Vol. 5, Exh. "Y" in the Respondents' Answer filed on September 30, 2006);

e. Appendix "E", being a true and correct copy of the Petitioner's Amended Opening Brief dated March 1, 2003, in post-conviction appeal, S.P.P. No. 00-1-0002(1), S.C. No. 25196, which is being attached hereto for the Court's convenience (also attached as Vol. 10, Exh. "CC" in the Respondents' Answer filed on September 30, 2006);

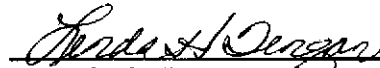
f. Appendix "F", being a true and correct copy of the Summary Disposition Order filed by the Hawai'i Supreme Court on November 24, 2004, in S.P.P. No. 00-1-0002(1), S.C. No. 25196, which is being attached hereto for the Court's convenience (also attached as Vol. 10, Exh. "FF" in the Respondents' Answer filed on September 30, 2006);

g. Appendix "G", being a true and correct copy of the Hawaii's recently enacted Post-Conviction DNA Testing statutes, HRS § 844D-121 (Supp. 2005) to HRS § 844D-133 (Supp. 2005); and

That further Affiant sayeth naught.


PETER A. HANANO

Subscribed and sworn to before me
this 22nd day of September, 2006.


Linda H. Tengan
Notary Public, State of Hawaii
My commission expires: May 17, 2008

L.S.